

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-10 and 12-71 are presently active in this case, Claims 12-71 previously withdrawn from consideration, and Claims 1 and 2 amended by way of the present amendment. In the outstanding Office Action, Claims 1-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,669,748 to Knudsen, Jr. in view of JP 11-348055A to Aria et al.; Claims 1-7 and 9-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,516,242 to Brown in view of Aria et al.; Claims 1, 3-6, and 8-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,401,078 to Roberts et al. in view of Aria et al.

Applicants first note that the outstanding Office Action merely cites portions of the prior art references as teaching features of Claim 1 without providing any details of *how* such portions of the references meet the specific claim language. As discussed below, the cited portions of the prior art references relate to different subject matter than what these portions are cited for. Applicants respectfully request that any forthcoming action provide at least a general explanation of how the prior art references can be read to teach the claimed article and delivery collection package, specification unit and instruction unit as recited in Claim 1.

The Examiner cites column 4, lines 14-30 and column 9, line 29 - column 10, line 13 of Knudsen, Jr. as teaching the claimed specification unit of Claim 1. However, column 4, lines 14-30 of Knudsen, Jr. discloses that a “high-rise” storage structure 12 consists of two separate storage structures 12a, 12b. Further, column 9, line 29 - column 10, line 13 of Knudsen, Jr. discloses that a product handling system determines the order of replenishment of product shipping lanes 24, and attempting to replenish as many side-by-side product shipping lanes 24 as possible in order to increase throughput of the system. Thus, it is clear

that neither of the cited portions (nor any other portion) of Knudsen, Jr. disclose the feature of the specification unit of specifying a plurality of first package components delivering the first article to a delivery site, and second package components for collecting the second article from said delivery site as required by Claim 1.

The Office Action also cites column 12, lines 6 to 45 of Knudsen, Jr. as teaching the instruction unit features of Claim 1. However, this portion of the cited reference discloses a procedure for when severely depleted product-pallet lanes are replenished. There is no hint in this portion, or any other portion of Knudsen, Jr., of the feature of the instruction unit of providing instructions for a delivery procedure for the first article and a collection procedure for the second article, and directions for assembling the second delivery-and-collection package as also required by Claim 1.

The Office Action alternatively cites column 5, lines 40 to 59 of Brown as teaching the claimed specification unit, and cites column 5, line 60 - column 8, line 35 as teaching the claimed instruction unit. However, Brown discloses a process and apparatus for physically consolidating and streamlining the manufacturing of computer systems in a build-to-order environment, but is completely silent about the subject of delivering a first article and collecting a second article. Therefore, Brown also fails to disclose the feature of the specification unit of specifying a plurality of first package components delivering the first article to a delivery site, and second package components for collecting the second article from said delivery site. Similarly, Brown also fails to disclose the feature of the instruction unit of providing instructions for a delivery procedure for the first article and a collection procedure for the second article, and directions for assembling the second delivery-and-collection package.

Still alternatively, the Office Action asserts that column 12, line 40 - column 13, line 17 and column 3, line 49 - column 4, line 6 of Roberts disclose the specification unit, and the

instruction unit. However, what Roberts discloses is a method for transmitting shipping documents or bills of lading directly from the truck driver to a common point or terminal. Roberts fails to disclose a specification unit of specifying a plurality of first package components delivering the first article to a delivery site, and second package components for collecting the second article from said delivery site. Roberts also fails to disclose the feature of the instruction unit of providing instructions for a delivery procedure for the first article and a collection procedure for the second article, and directions for assembling the second delivery-and-collection package.

The Office Action acknowledges that Knudsen, Jr., Brown and Roberts et al. do not disclose the article delivery and collection package of Claim 1, but asserts that paragraph 47 of Arai discloses the article delivery and collection package configured to be assembled as a first package for packing a first article to be delivered and configured to be reassembled, and that paragraph 112 of Arai discloses the second article being of different height than the first. However, paragraph 47 of Arai merely discloses piling up two article transportation-and-storage apparatuses vertically, and paragraph 112 discloses that distances between the supports are adjustable and the transportation-and-storage apparatus can transport or store articles of different sizes. Therefore, paragraphs 47 and 112 of Arai fail to disclose the feature of the article delivery-and-collection package claimed in Claim 1.

For the reasons discussed above, independent Claim 1, and Claims 2-10 depending therefrom, patentably define over the cited references. Nevertheless, in order to expedite issuance of a patent in this case, Applicants have amended independent Claim 1 to recite that the first delivery and collection package includes a pallet, a plurality of first supports detachably fitted to the pallet, and a top covering the plurality of first supports, and the second delivery and collection package includes the pallet, a plurality of second supports having a different height from that of the first supports, and the top. Also recited is that the

first package components include the plurality of first supports, and the second package components include the plurality of second supports. Support for these amendments is provided in Applicants' specification at page 15, line 6 to page 16, line 24. Therefore, the amendments to Claim 1 do not raise an issue of new matter. Thus, Claim 1 has been amended to recite the specific structural features of the first and second delivery and collection packages in order to further clarify differences over the prior art, and in particular the cited reference to Arai. These amendments provide further basis for allowance of Claims 1-10 over the cited references.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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(OSMMN 03/06)